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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 RUBEN JESSE MARTINEZ,

No. C 11-01011 SI

9 Petitioner,

**ORDER DENYING CERTIFICATE OF
APPEALABILITY**

10 v.


11 JAMES A. YATES,

12 Respondent.
13 _____/

14 Currently before the Court is petitioner's motion for a certificate of appealability. Petitioner's
15 petition for writ of habeas corpus was denied on January 30, 2012. A certificate of appealability will
16 not issue. Reasonable jurists would not "find the district court's assessment of the constitutional claims
17 debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). Petitioner may seek a certificate
18 of appealability from the Court of Appeals.
19

20 **IT IS SO ORDERED.**

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22 Dated: March 5, 2012



SUSAN ILLSTON
United States District Judge